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PTO/SB/21 (08-03)

Approved for use through 07/31/2008, OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after Initial Filing)	Application Number	10/760,987	
	Filing Date	January 20, 2004	
	First Named Inventor	Oliver KLEIN	
	Group Art Unit	1774	
	Examiner Name	Vivian Chen	
Total Number of Pages In This Submission	6	Attorney Docket Number	03/007 MFE

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) Extension of Time Request Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ Remarks:	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communications to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 20px; width: 100%;"></div>

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT	
Firm or Individual Name	ProPat, L.L.C. 425-C South Sharon Amity Road Charlotte, NC 28211-2841
Signature	<i>Cathy Moore</i>
Date	March 16, 2005

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Claire Wygand		
Signature	<i>Claire Wygand</i>	Date	March 16, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

PTO/SB/17 (10-03)

Approved for use through 07/31/2008, OMB 0851-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$)**180.00****Complete If Known**

Application Number	10/760,987
Filing Date	Jan. 20, 2004
First Named Inventor	Oliver KLEIN
Examiner Name	Vivian Chen
Art Unit	1773
Attorney Docket No.	03/007MFE

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number	50-2193
Deposit Account Name	ProPat, LLC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	180	2005	80	Provisional filing fee	

**SUBTOTAL (1)** (\$)**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent		-20**		X			
Multiple Dependent		-3**		X			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	88	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

**SUBTOTAL (2)** (\$)**0**

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES****Large Entity - Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	85	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non-English specification	
1812	2,520	2812	2,520	For filing a request for ex parte reexamination	
1804	920*	2804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	2805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	850	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	2451	1,510	Petition to Institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1801	1,330	2801	665	Utility issue fee (or reissue)	
1802	480	2802	240	Design issue fee	
1803	640	2803	320	Plant issue fee	
1480	130	2480	130	Petitions to the Commissioner	
1807	80	2807	50	Processing fee under 37 CFR 1.17(g)	
1808	180	2808	180	Submission of Information Disclosure Stmt	180.00
8021	40	2801	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	800	2802	800	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$)**180.00****SUBMITTED BY**

Name (Print/Type)	Cathy R. Moore	Registration No. (Attorney/Agent)	45,764	Telephone	704 365-4881
Signature	<i>Cathy Moore</i>	Date	March 18, 2005		

(Complete if applicable)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Docket 03/007 MFE  
Customer No. 38263

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MAR 16 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK  
OFFICE PATENT OPERATIONS

Applicants: Oliver KLEIN *et al.* Art Unit: 1773  
App. No. 10/760,987 Examiner: Vivian Chen  
Filed: January 20, 2004  
Title: Polyester film having improved oxygen barrier, comprising  
poly(m-xyleneadipamide) and a barrier coating, process for its production and its  
use

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Charlotte, North Carolina  
March 16, 2005

Dear Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

This Information Disclosure Statement (IDS) is made in compliance with 37 C.F.R. 1.97(c). Applicant hereby submits the attached Forms PTO/SB/08A with fee to be charged to Deposit Account 502193.

The enclosed Forms PTO/SB/08A were taken from a review of co-pending U.S. application No. 10/760,979, filed on January 20, 2004, commonly assigned to Mitsubishi Polyester Film GmbH,

This submission, made out of an abundance of caution and in compliance with *Dayco Products, Inc. v. Total Containment, Inc.* 329 F.3d 1358 (Fed. Cir. (MO) May 23, 2003), does not represent that the above-noted cases constitute an application family. This submission further does not represent that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art."

Applicant respectfully requests that each reference be reviewed and made of record in the instant application.

Attorney Docket No. 03/009 MFE  
Customer No. 38263

Each of the references noted within the attached Forms PTO/SB/08A were supplied in U.S. Application No. 10/760,979. Consequently, it is assumed that no copies need be furnished. However, copies will be furnished upon request.

Respectfully submitted,

*Cathy Moore*

Cathy R. Moore  
Reg. No. 45,764  
ProPat, L.L.C.  
425-C South Sharon Amity Road  
Charlotte, NC 28211-2841

PTO/SB/08A				Complete if Known					
Substitute for Form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application Number		10/760,979			
				Filing Date		January 20, 2004			
				First Named Inventor		Matthias KONRAD			
				Group Art Unit		1772			
				Examiner Name					
Sheet	1	Of	1	Attorney Docket Number		03/009MFE			
<b>U.S. PATENT DOCUMENTS</b>									
Examiner Initials	Cite No.	U. S. Patent Number	Kind Code	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Class	Sub class		
		3,154,461		D.L. Johnson	10/27/1964	161	116		
<b>FOREIGN PATENT DOCUMENTS</b>									
Examiner Initials	Cite No.	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Class	Subclass	Y8	
		Office	Number	Kind Code					
		EP	0 347 646	A2	Toray Industries, Inc.	12/27/1989	B32B	27/20	X
		EP	0 053 498	A2	Toray Industries, Inc.	06/09/1982	B32B	27/36	X
		DE	2 353 347 = US 3,944,699		ICI Ltd.	10/24/1972	39a3	7/02	X
Examiner Signature				Date Considered Signature					

IDS in spec

PTO/SB/08A				Complete if Known					
<b>Substitute for Form 1449A/PTO</b> <b>INFORMATION</b> <b>DISCLOSURE STATEMENT</b> <b>BY APPLICANT</b>				Application Number		10/760,979			
				Filing Date		January 20, 2004			
				First Named Inventor		Matthias KONRAD			
				Group Art Unit		1772			
				Examiner Name					
Sheet	1	Of	1	Attorney Docket Number		03/009MFE			
<b>U.S. PATENT DOCUMENTS</b>									
Examiner Initials*	Cite No.	U. S. Patent Number	Kind Code	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Class	Sub class		
<b>FOREIGN PATENT DOCUMENTS</b>									
Examiner Initials*	Cite No.	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Class	Subclass	T8	
		Office	Number	Kind Code					
		EP	1 197 328 = US 6,607,808	A2	Mitsubishi Polyester Film GmbH	08/28/2002	B32B	27/36	X
		EP	1 234 848 = US 2002/0160171	A1	Mitsubishi Polyester Film GmbH	08/28/2002	C08J	3/18	X
Examiner Signature				Date Considered Signature					

IDS in EPO rpt